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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

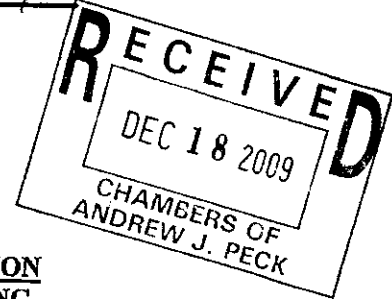
JOE SIMON-WHELAN, Individually And On  
Behalf Of All Others Similarly Situated,

Plaintiff,

-against-

THE ANDY WARHOL FOUNDATION FOR  
THE VISUAL ARTS, INC., THE ESTATE OF  
ANDY WARHOL, VINCENT FREMONT,  
VINCENT FREMONT ENTERPRISES, THE  
ANDY WARHOL ART AUTHENTICATION  
BOARD, INC., JOHN DOES 1-20, JANE DOES  
1-10, and RICHARD ROES 1-10,

Defendants.



STIPULATION  
REGARDING  
VOLUNTARY  
DISMISSAL OF  
REMAINING CLASS  
CLAIMS

07-CV-6423 (LTS)

ECF CASE

STIPULATION REGARDING VOLUNTARY DISMISSAL  
OF REMAINING CLASS CLAIMS

As Plaintiff represented to this Court during the status conference on October 23, 2009, Plaintiff's class claims for declaratory judgment and unjust enrichment asserted in Plaintiff's amended complaint, dated October 19, 2007, were voluntarily dismissed pursuant to Rule 15 of the Federal Rules of Civil Procedure. All other class claims alleged by Plaintiff in his amended complaint had previously been dismissed by this Court's order, dated May 26, 2009, which denied in part and granted in part Defendants' motion to dismiss. Thus, as of October 23, 2009 this case is being litigated by Plaintiff solely on an individual basis.

MEMO ENDORSED 12/18/09

1. Approved  
2. The caption should be amended to delete the reference to "Individually and on behalf of all others similarly situated."


SO ORDERED:

Hon. Andrew Jay Peck  
United States Magistrate Judge

cm Rof 447P: fed bond  
JFE mai

BY FAX

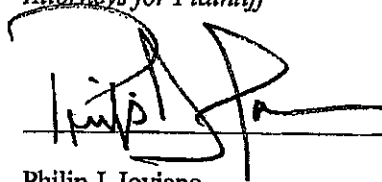
Dated: December 9, 2009



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Dated: December 9, 2009

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# FAX TRANSMITTAL SHEET



**ANDREW J. PECK  
UNITED STATES MAGISTRATE JUDGE  
UNITED STATES DISTRICT COURT**

Southern District of New York  
United States Courthouse  
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**Dated:** December 18, 2009

**Total Number of Pages:** 3

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## **TRANSCRIPTION:**

**MEMO ENDORSED 12/18/09**

1. **Approved.**
2. **The caption shall be amended to delete the reference to "Individually and on behalf of all others similarly situated."**

**Copy to:** Judge Laura Taylor Swain